

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

DEC - 8 2004

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

Ezell Cody
Petitioner,

vs.

James Purkett
Respondent.

4:04cv01705FRB

Case No. _____

MOTION TO PROCEED IN FORMA PAUPERIS
AND AFFIDAVIT IN SUPPORT -- HABEAS CASES

I, Ezell Cody declare (1) that I am the petitioner in this case; (2) that because of my poverty, I am unable to pay the filing fee; and (3) that I believe I am entitled to relief. The nature of my action and the issues are briefly stated as follows:

In further support of this application, I answer the following questions:

1. Place of confinement of petitioner: E.R.D.C.C., 2727 Highway K
Bonne Terre, Missouri 63628

2. Crime(s) for which you have been convicted, date and sentence on each:

Forgery, Burglary, Burglary, February 2002

3. Are you presently employed? Yes No XXX

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer.

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

4. Have you received, within the past twelve (12) months, money from any of the following sources?

	Yes	No
Business, profession or form of self-employment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rent payments, interest or dividends?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pensions, annuities or life insurance payments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gifts or inheritances?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other sources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer to any of the above is "yes," describe the source and amount of money received from each during the past twelve (12) months.

Please see inmate account transaction sheet.

5. Do you own any cash, or do you have money in a checking or savings account? Include any funds in your prison account.

Yes No

If the answer is "yes," state the total amount of cash owned, and the balance in all checking, savings or prison accounts.

6. Do you own real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No

If the answer is "yes," describe the property and state its approximate value.

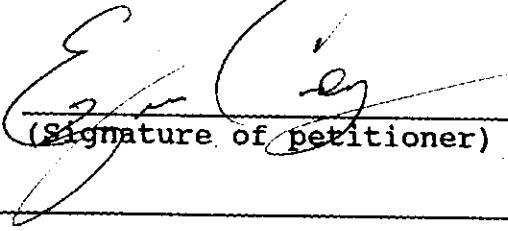
N/A

7. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

N/A

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. I UNDERSTAND THAT PROVIDING FALSE INFORMATION MAY SUBJECT ME TO CRIMINAL PROSECUTION, IMPOSITION OF A FINE, OR OTHER SANCTION THAT MAY ADVERSELY AFFECT MY ABILITY TO PURSUE THIS CASE OR OTHER CASES. I HAVE REVIEWED MY ANSWERS TO INSURE THEIR ACCURACY.

Executed (signed) this 1 day of Dec., 2004


(Signature of petitioner)

Certificate

I certify that the applicant named herein has the sum of \$ _____ on account to his credit at the institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution: _____

Authorized Officer of Institution